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PATENT  
Attorney Docket No.: SALK2150  
(088802/4901)

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of: Doucas and Evans

Application No.: 08/975,272

Filing Date: November 21, 1997

For: METHOD FOR THE IDENTIFICATION  
AND USE OF SUBSTANCES THAT  
MODULATE POD FUNCTION AND/OR  
STRUCTURE (As amended)

Group Art Unit: 1631

Examiner: J. Brusca

Batch No.: G78

**CERTIFICATION**

I hereby certify that the documents referred to as enclosed herein are being sent via Federal Express for next business day delivery to: Assistant Commissioner for Patents, Washington, D.C. 20231, c/o Examiner John S. Brusca, 1911 S. Clark St., 7<sup>th</sup> Floor Reception, Arlington, VA 22202

Joy Day  
Name of person mailing paper

Signature *Joy Day* Date November 16, 2001

Commissioner for Patents  
Washington, D.C. 20231

PETITION UNDER 37 C.F.R. § 1.183 TO SUSPEND THE RULES AND  
WAIVE THE REQUIREMENTS OF 37 C.F.R. § 1.64

Sir:

Pursuant to 37 C.F.R. § 1.183, it is hereby petitioned to waive the requirement under 37 C.F.R. § 1.64 that each of the actual inventors execute the oath or declaration being filed, with respect to Vassilis Doucas, the now non-signing, but originally signing inventor. This petition is being filed concurrently with a petition to add an inventor to the above-identified application. Included as attachments in support of this petition are the following:

- (1) A petition to correct inventorship under 37 C.F.R. § 1.48(a). Exhibit A
- (2) A statement from Didier P. Trono clarifying that this error in inventorship occurred without deceptive intention on his part. Exhibit B

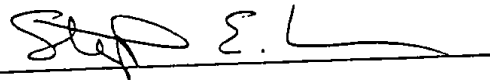
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01-FC:1460 130.00 CH  
02-FC:2051 65.00 CH

- (3) A declaration signed Didier P. Trono supporting the petition under 37 C.F.R. § 1.48(a). Exhibit C
- (4) A declaration signed Ronald M. Evans supporting the petition under 37 C.F.R. § 1.48(a). Exhibit D
- (5) Summary of selected correspondence between Applicants' representatives and non-signing inventor Vassilis Doucas, establishing that the signature of this uncooperative inventor could not be obtained notwithstanding diligent effort.  
Exhibit E
- (6) The written consent of the Assignee consenting to the petition under 37 C.F.R. § 1.48(a). Exhibit F
- (7) The \$130.00 petition fee required by 37 C.F.R. § 1.17(h).

Applicants respectfully request that this Petition be granted. In the event any matters remain to be resolved in view of this communication, the Examiner is encouraged to call the undersigned so that a prompt disposition of this Petition can be achieved. If any additional fee is due, the Commissioner is hereby authorized to charge Deposit Account No. 50-0872.

Respectfully submitted,

Date: November 15, 2001



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